

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

IN RE: _____)
)
PATRICIA L. CRUICKSHANKS) Case No. 12-37058-KRH
)
 Debtor) Chapter 13
_____)

ORDER APPROVING LOAN MODIFICATION

THIS MATTER came to be heard on the Motion of the Debtor to Approve a Loan Modification; and it

APPEARING TO THE COURT that the Debtor filed this case under Chapter 13 of the U.S. Bankruptcy Code on December 12, 2012; and it

FURTHER APPEARING that Wells Fargo Bank N.A. (“Lender”) is a secured creditor of the Debtor which holds a promissory note from the Debtor (“Note”) secured by a first deed of trust on the Debtor’s real property known as 3061 Montfort Loop, Richmond, VA 23294; and it

FURTHER APPEARING that the Debtor has applied for and Lender has approved a modification of the Note reducing the Debtor’s monthly payment of principal, interest, and escrow on the Note from \$539.38 to \$521.68, with an annual interest rate at 3.75%, increasing the unpaid principal balance from \$69,686.51 to \$88,444.75, extending the maturity date from December 1, 2023 to October 1, 2046; and it

FURTHER APPEARING that the Debtor filed a Motion and Notice to Approve the foregoing loan modification with notice to the Chapter 13 Trustee and all creditors; and it

FURTHER APPEARING that no responses or objections have been filed to said Motion and Notice and that the forgoing modification is in the best interest of the Debtor and will facilitate the Debtor’s ability to perform under the Chapter 13 Plan filed herein; it is therefore

ORDERED that the Debtor's Motion to Approve the foregoing loan modification be and the same is hereby GRANTED; and it is

FURTHER ORDERED that all mortgage arrears are included in the loan modification and the Chapter 13 trustee is relieved of any obligation to pay the arrears claim of Lender; and the Lender shall amend its proof of claim accordingly.

Date: Mar 9 2017

/s/ Kevin R Huennekens
United States Bankruptcy Judge

Entered on Docket: Mar 10 2017

PRESENTED BY:

/s/ James E. Kane
James E. Kane (VSB #30081)
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, VA 23219
(804) 225-9500 (phone)
(804) 225-9598 (fax)
Counsel for Debtor

/s/ Carl M. Bates
Carl M. Bates, Chapter 13 Trustee
P.O. Box 1819
Richmond, VA 23218-1819
Phone: (804)-237-6800

CERTIFICATION OF COUNSEL

I hereby certify that this Order has been endorsed by all necessary parties.

/s/ James E. Kane
James E. Kane

Parties to Receive Copies

James E. Kane, Esquire
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, VA 23219

Patricia L. Cruickshanks
3061 Montfort Loop
Henrico, VA 23294

Carl M. Bates, Chapter 13 Trustee
P. O. Box 1819
Richmond, VA 23218

Mark Pembroke
Wells Fargo Bank, NA
3476 Stateview Blvd.
MAC# X7801-03K
Fort Mill, SC 29715